

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number 04645.0562



In re Application of Takeuchi

Application Number 09/176,374

Filed 10/21/1998

For Wound Element Electrode Assembly Design For Use in
Prismatic Case Electrochemical Cells

Group Art Unit 1745

Examiner T. Dove

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated October 30, 2000, rejecting the following claims: 1-19

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 310

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-2442. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant.
 assignee of record of the entire interest.
 attorney or agent of record.
 attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

Signature

Typed or printed name

January 26, 2001

Date

01/30/2001 JADD01 00000078 09176374

01 FC:119

310.00 00

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date January 26, 2001

(Type or print name of person mailing paper)

(Signature of person mailing paper)

FEE TRANSMITTAL for FY 2000

Patent Fees are subject to annual revision.

Application Number	09/176,374
Filing Date	October 21, 1998
First Named Inventor	Takeuchi
Examiner Name	T. Dove
Group/Art Unit	1745
TOTAL AMOUNT OF PAYMENT	(\$310)
	Attorney Docket Number
	04645.0562

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

3. ADDITIONAL FEES

Deposit Account Number: 08-2442
Deposit Account Name:
Hodgson Russ LLP

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
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Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

105	130	205	65	Surcharge - late filing fee or oath	\$
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Applicant claims small entity status. See 37 CFR 1.27.

127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
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2. Payment Enclosed:

<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	139	130	139	130	Non-English specification	\$
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FEE CALCULATION

147	2,520	147	2,520	For filing a request for reexamination	\$
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1. FILING FEE

Large Entity Small Entity

112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$
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Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$	
101 710	201 355	Utility filing fee	\$	115	110	215	55	Extension for reply within first month	\$	
106 320	206 160	Design filing fee	\$	116	390	216	195	Extension for reply within second month	\$	
107 490	207 245	Plant filing fee	\$	117	890	217	445	Extension for reply within third month	\$	
108 710	208 355	Reissue filing fee	\$	118	1,390	218	695	Extension for reply within fourth month	\$	
114 150	214 75	Provisional filing fee	\$	128	1,890	228	945	Extension for reply within fifth month	\$	
SUBTOTAL (1)				\$	119	310	219	155	Notice of Appeal	\$310

2. EXTRA CLAIM FEES	Extra Fee from Claims below	Fee Paid	120	310	220	155	Filing a brief in support of an appeal	\$
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Total Claims / / -20** = / / x / / =	\$	121	270	221	135	Request for oral hearing	\$
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Independent Claims / / - 3** = / / x / / =	\$	138	1,510	138	1,510	Petition to institute a public use proceeding	\$
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Multiple dependent / / x / / =	\$	140	110	240	55	Petition to revive - unavoidable	\$
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Large Entity Small Entity		141	1,240	241	620	Petition to revive - unintentional	\$
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Fee Code (\$)	Fee Code (\$)	Fee Description	142	1,240	242	620	10 advance copies Utility issue fee (or reissue)	\$
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103 18 203 9	Claims in excess of 20	143	440	243	220	Design issue fee	\$
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102 80 202 40	Independent claims in excess of 3	144	600	244	300	Plant issue fee	\$
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104 270 204 135	Multiple dependent claim if not paid	122	130	122	130	Petitions to the Commissioner	\$
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109 80 209 40	**Reissue independent claims over original patent	123	50	123	50	Petitions related to provisional applications	\$
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110 18 210 9	**Reissue claims in excess of 20 and over original patent	126	240	126	240	Submission of Information Disclosure Statement	\$
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		581	40	581	40	Recording each patent assignment per property (times number of properties)	\$
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SIGNATURE: <u>John M. Del Vecchio</u>	146	710	246	355	Filing a submission after final rejection(37 CFR 1.129(a))	\$
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John M. Del Vecchio, Reg. No. 42,475	149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	\$
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DATE: January 26, 2001 **Telephone:** (716) 848-1644 *Reduced by basic filing fee paid **SUBTOTAL (3)** **\$310**

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 26, 2001.

Janice Capuani
Signature

Janice Capuani
Name
Date of Signature

